

BOARD MEETING DATE: December 4, 2020

AGENDA NO. 7

PROPOSAL: Amend Contracts for Legislative Representation in Washington, D.C.

SYNOPSIS: The current contracts for legislative and regulatory representation in Washington D.C. with Kadash & Associates, LLC, Cassidy & Associates, and Carmen Group Inc., expire on January 14, 2021. Each of these contracts includes an option for two one-year extensions. This action is to consider approval of the second one-year extension of the existing contracts for Calendar Year 2021 with Kadash & Associates, LLC for \$226,400; Cassidy & Associates for \$216,000; and Carmen Group Inc. for \$222,090 as South Coast AQMD's legislative and regulatory representatives in Washington D.C., to further the agency's policy positions at the federal level. Sufficient funding is available in the Legislative, Public Affairs & Media FY 2020-21 Budget.

COMMITTEE: Administrative, October 9, 2020; Recommended for Approval

RECOMMENDED ACTION:

Authorize the Chairman to approve Contract modifications for legislative consulting services in Washington, D.C. to extend the term of the Contracts for a one-year period beginning on January 15, 2021, in the amounts of \$226,400, \$216,000, and \$222,090, with Kadash & Associates, Cassidy & Associates, Inc., and Carmen Group, Inc., respectively.

Wayne Natri
Executive Officer

DJA:RAR:LTO:ar

Background

After a competitive request for proposals process in 2018, the Board selected Kadash & Associates, LLC, Cassidy & Associates and the Carmen Group Inc., for legislative and regulatory representation in Washington, D.C. for one year beginning on January 15,

2019, with an option for up to two one-year renewals, upon satisfactory performance, at the Board's discretion. Each of the three one-year consultant contracts will expire on January 14; however, each agreement includes an option for two one-year extensions. This is the second and final one-year extension for each consultant contract.

The firms have been effective in working with the Board and staff to maintain a continued and noticeable presence to advance the Board's agenda for federal legislative and regulatory issues. They have effectively organized meetings with the Administration, Congressional Members and staff, industry, environmental and health organizations and other stakeholders. These meetings have strengthened South Coast AQMD's ability to provide information to policymakers in Washington, D.C. The consultants planned and helped facilitate an Executive Council and staff trip to Washington, D.C. in February 2020. South Coast AQMD met with the Administration, key Congressional Members and staff, industry and health organizations on the Cleaner Trucks Initiative, rollback of Corporate Average Fuel Economy Standards and the revocation of the California Waiver, as well as appropriations for the Diesel Emission Reduction Act program (DERA), Targeted Airshed Grants (TAG), Section 103/105 and other funding programs. The federal consultants also assisted in educating the South Coast AQMD Congressional Delegation and key Members of Congress on attainment issues related to the federal government doing its fair share to reduce emissions from mobile sources to improve public health for the residents of the South Coast region. This relationship building has developed stronger relationships between Members of Congress and South Coast AQMD based on air quality issues in their districts, South Coast region and the nation. Several Members of Congress have championed air quality issues and are working with South Coast AQMD in partnership.

As a result of our consultants' efforts to increase funding for TAG, South Coast AQMD was awarded \$37 million by the U.S. EPA in 2019 and 2020. South Coast AQMD also received over \$2.2 million from the DERA National Grants program. There are several legislative initiatives that South Coast AQMD consultants worked on which are pending in the 116th Congress, including:

- Inclusion of H.R. 2616, the "Clean Corridors Act of 2019" (DeSaulnier) with South Coast and Bay Area AQMD amendments in the larger, transportation and infrastructure bill known as H.R., the "Moving Forward Framework" which was approved by the full House of Representatives. Similar provisions were included in the Senate surface transportation bill. Congress is likely to extend the existing surface transportation policy which expires on September 30, 2020, for one-year, allowing the 117th Congress to act on the next major surface transportation and infrastructure bill which is highly likely to include the Clean Corridors provisions as amended.
- Work on H.R. 7073, "Special Districts Provide Critical Services Act" (Garamendi) to provide federal assistance for COVID-19 related unplanned expenses and revenue losses for special districts such as South Coast AQMD. South Coast AQMD

consultants also worked to support efforts for S. 4308 (Sinema, Cornyn, Harris) which also provides federal assistance to special districts through the CARES Act State and Local government program. South Coast AQMD continues to assist in garnering bi-partisan support for S. 4308 including Committee leadership and staff.

- Request for increased appropriations and reauthorization of DERA. The Fiscal Year 2021 House Appropriations bill for Interior included \$90 million plus an additional \$450 million under “Infrastructure Improvements.” The reauthorization of DERA is pending in multiple legislative vehicles in both the House and Senate.
- Working with several Congressional offices on legislative proposals including,
 - H.R. 7024, “Climate Smart Ports” (Barragan) included in H.R. 2, “Moving Forward Framework.” This bill may be carried forward into the 117th Congress as part of the larger surface transportation and infrastructure package.
 - H.R. 7822, the “Public Health Air Quality Act” which seeks to implement fence line monitoring, improve the national air monitoring network, increase monitoring of air toxics, and other provisions. This bill and a companion Senate bill, S. 4369 (Duckworth) are being revised and will be reintroduced in the 117th Congress.
 - H.R. 4924, the “Smoke Planning and Research Act” (Eshoo) / S. included in the larger energy package, H.R. 4447, the “Clean Economy Jobs and Innovation Act” which is expected to be heard before the end of the 116th Congress.
 - S. 1750 (Harris) and the companion bill, H.R. 3973 (Hayes), the “Clean School Bus Act” would establish a grant program for zero-emission school buses, including infrastructure and other provisions. This bill was included in H.R. 2, “Moving Forward Framework.” It is a good candidate to come back as part of the 117th Congress’ larger surface transportation and infrastructure legislation.
- Supporting the promulgation of the U.S. EPA Cleaner Trucks Initiative (CTI) rulemaking initially gained momentum which was slowed by Administration and eventually impacted by COVID-19. Other rulemaking efforts include, “Safer Affordable Fuel-Efficient Vehicles,” “Science Transparency,” “Review of NAAQS for Ozone,” and “Review of NAAQS Primary and Secondary for PM2.5 and PM10.”

The consultants have represented South Coast AQMD well and continued representation in Washington, D.C. is necessary to further the agency’s policy and funding objectives in the future. South Coast AQMD has several significant legislative and administrative issues that likely will be dealt with in the 117th Congress. Staff is strategizing with the consultants on how to best move forward policy and funding opportunities to address attainment issues and air toxics. Key legislation that may move in the 117th Congress include climate, surface transportation and infrastructure, public health and environmental justice, and additional COVID-19 recovery and relief and economic stimulus.

It is critical that South Coast AQMD be involved in policy development relating to federal air quality legislation, federal Clean Air Act implementation, subvention funding, and special grants, and that all these issues and any other related matters are closely monitored. Therefore, staff recommends continued direct representation and advocacy of South Coast AQMD's policy positions on environmental issues in Washington, D.C.

Proposal

Staff recommends retaining Kadesh & Associates, LLC, Cassidy & Associates, and Carmen Group Inc., for Calendar Year 2021, given their successful efforts in 2020 and the ability to build upon those efforts in the coming year. Continuity of representation will help build on past relationships and policy initiatives to increase the successful outcomes of South Coast AQMD policy objectives going forward.

Pursuant to the original contract, the Board has discretion to exercise options for two one-year extensions. This proposal is to approve the final one-year extension for all three consulting contracts.

Resource Impacts

The Legislative, Public Affairs, and Media Budget for FY 2021-2022 has sufficient funds for legislative advocacy in Washington D.C.